

d member projecting through the incision to secure and seal the first member to body tissue surrounding the incision. --

REMARKS/ARGUMENTS


Claims 34 has been amended to add the limitation of claims 36 and 39. Claims 36 and 39 have been canceled herein. Accordingly, no new matter is involved. Claim 50 has been amended to add the limitation of claim 39. Accordingly. No new matter is involved.

In the previous office action, the Examiner objected to claims 37-39, 41, 51 and 52 as being dependent upon a rejected base claim. However, the Examiner did indicate that the claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 34 has now been amended to add the limitations of claims 36 and 39, effectively rewriting claim 39 in independent form. Claim 50, which already contained the limitation of claim 34, has been amended to add the limitation of claim 39. For the same reasons the Examiner indicated claim 39 as being allowable, applicants submit that claim 50 should now also be allowable over the prior art cited by the Examiner.

Therefore, Applicants submit that all claims are now fully allowable over the prior art cited by the Examiner. Consequently, Applicants respectfully request that the Examiner reexamine and favorably reconsider all of Applicants' pending claims in the form of a Notice of Allowance.

Respectfully submitted,

By: 
Dean L. Garner, Esq.
Reg. No. 35,877
Attorney for Applicant(s)

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(513) 337-8559
Date: February 26 2004